

740756-2160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of:)
Shunpei YAMAZAKI et al.)
Serial No. 09/578,895) ISSUE BRANCH
Filed: May 26, 2000)
For: ELECTRO-OPTICAL DEVICE AND)
ELECTRONIC DEVICE) June 23, 2004

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. 1.313(c)(2)
TO PERMIT CONSIDERATION OF INFORMATION
DISCLOSURE STATEMENT UNDER
SECTION 1.97 IN A CONTINUING APPLICATION UNDER 37 C.F.R. 1.114

CERTIFICATE OF MAILING OR TRANSMISSION
[37 CFR 1.8(a)]

I hereby certify that this correspondence is being facsimile
transmitted to the USPTO at Office of on June 23, 2004.

Signature: D. Movahhedi
Name: D. Movahhedi

Office of Petitions
Attn: Karen Creasy
Crystal Plaza 4, Suite 3C23
Alexandria, VA 22313-1450

FAX RECEIVED

JUN 23 2004

Sir:

PETITIONS OFFICE

Applicants hereby petition for the withdrawal of this application from issue.

The reason for withdrawal from issue of this application is for consideration of information in a continuing application. The continuing application is filed as a Request for Continued Examination (RCE). The RCE, which is entitled to priority under 35 U.S.C. 120 from this application, is being filed on the same date as this petition and accompanies this petition.


Additionally, Applicants are submitting herewith an Information Disclosure Statement to submit U.S. Patent No. 5, 412,493 (Kunii et al.), as well as U.S. Patent No. 5,642,213 (Mase et al.), EP 1 001 467 A2 (Yamazaki et al.) and JP 2002149112 (Koyama) that were cited in the IDS submitted October 6, 2003 and again on May 3, 2004 but not considered by the Examiner. Copies of the aforementioned references are included herewith.

06/24/2004 AKELLEY 00000015 192380 09578895

01 FC:1460 NVA234000 DA

The petition fee of \$130 under 37 C.F.R. 1.17(i) is enclosed along with a fee of \$770.00 for filing an RCE pursuant to 37 C.F.R. 1.114. The Commissioner is authorized to charge the Petition Fee of \$130.00 and a RCE filing fee of \$770.00 or any deficiencies (except the issue fee) or credit any overpayment to Deposit Account No. 19-2380 (740756-2523). A duplicate copy of this sheet is attached.

Respectfully submitted,



Jeffrey L. Costellia
Registration No. 35,483

NIXON PEABODY LLP
401 9TH STREET, N.W., SUITE 900
Washington, D.C. 20004
(202) 585-8000